MR. SPEAKER: The Police are not under the control of the Speaker:

SHRI T. S. RAMASWAMI: On a point of information. I want to know whether the Speaker has enquired into the matter of the reasonableness or otherwise of this lathi charge.

MR. SPEAKER: I had no time to go into the question.

PAPERS LAID ON THE TABLE.

Report of the Committee of Privileges.

SHRI D. DAMODARAN POTTI: I, the Chairman of the Committee of Privileges beg to present the First Report of the Committee in 1955.

I, the Chairman of the Committee of Privileges beg to present the Second Report of the Committee in 1955.

Report of the Estimates Committee.

SHRI T. K. DIVAKARAN: I, the Chairman of the Estimates Committee beg to present the First Report of the Committee in 1955 on Government Hospitality Organisation.

I, the Chairman of the Estimates Committee beg to present the Second Report of the Committee in 1955 on 'Civil Secretariat'.

Petition

MR. SPEAKER: I will now call upon the Secretary to report to the House under Rule 115 a petition which has been received.

SECRETARY: Sir, under Rule 115 of the Rules of Procedure and Conduct of business in the Legislative Assembly, I have to report that a Petition relating to the separation of the Judiciary from the Executive has been received from Shri R. Ramakrishnan, President, Soornad Panchayat.

MR. SPEAKER: The petition stands referred to the Committee on Petitions under Rule 115.

Motion re: Election.

SHRI A. J. JOHN: I move that this House do proceed to elect in such manner as the Speaker may direct three members to the State Board of Technical Education constituted by Government.

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SHRI K. M. KORAH: I second the motion.

MR. SPEAKER: The question is that the House do proceed to elect 3 Members to the State Board of Technical Education.

The motion was put and carried.

LEGISLATIVE BUSINESS.

The Travancore-Cochin Maternity Benefit (Amendment) Bill, 1955.

Home Minister (SHRI A. J. JOHN): I beg to introduce the Travancore-Cochin Maternity Benefit (Amendment) Bill, 1955.

Minister for Health (SHRI A. A. RAHIM): I Second it.

MR. SPEAKER: The Bill stands introduced.

SHRI A. J. JOHN: There are two enactments in force in the State which provide for the payment of maternity benefit to women employed in plantations, namely the Travancore-Cochin Maternity Benefit Act, 1952 and the Plantations Labour Act, 1951 (Central Act LXIX of 1951). The definition of the terms "plantation" and "worker" contained in these enactments differ in certain respects. Thus to come within the purview of the Travancore-Cochin Maternity Benefit Act, a plantation should be at least fifty acres in extent or there should be at least fifty persons employed in it. On the other hand, if it is 25 acres in extent and there are 30 persons employed in it, it would be a plantation for the purpose of the Plantations Labour Act. Again, an employee in a plantation whose emoluments exceed Rs. 200 per mensem will not be a worker within the definition in the State Act, while the upper limit of the monthly wages of a worker has been fixed as Rs. 300 under the Central Act. Thus the Central Act is wider in scope than the State Act. But both these enactments relate to a subject falling under the Concurrent List, in the Seventh Schedule to the Constitution and the Travancore-Cochin Maternity Benefit Act has been assented to by the President. Hence under Article 254 (2) of the Constitution, the State law will prevail in this State and the provisions of the Central Act in so far as they relate to payment of maternity benefit to women workers in plantations cannot be availed of by the workers in the State. It is considered that the workers who would be entitled to maternity benefit under the Central Act should not be prevented from deriving the benefit simply because of this legal

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